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*Attorneys for Alan Hayes and Wendy Wolosoff-Hayes*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES INVESTOR PROTECTION  
CORPORATION,

Adv. Pro. No. 08-01789 (BRL)

Plaintiff-Appellant,

SIPA LIQUIDATION

*-against-*

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

NOTICE OF APPEARANCE AND  
REQUEST FOR SERVICE OF  
DOCUMENTS

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In re:

BERNARD L. MADOFF,

Debtor.

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IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

*-against-*

LUCKY COMPANY, a New Jersey partnership, BETH  
H. GERSTEN, (aka BETH HENDLER), ROBIN  
EASTERN, MUNCHKINS, a partnership, IRVING B.  
KAHN FOUNDATION, INC., a Delaware corporation,  
MILTON HENDLER RESIDUARY TRUST, a Florida

trust, GLORIA HENDLER, as trustee and as an individual, ALAN HAYES, WENDY WOLOSOFF-HAYES, BRIGID BUCHANAN, SANDRA RAMIREZM BRIAN CLEARY, PETER J. CLEARY, STUART M. TARSHIS, ROBERTA E. TARSHIS, PHYLLIS M. ELDERIDGE, LESLIE READ, SCOTT H. READ, CHARLES READ, MARK HENDLER, DENISE HENDLER, JOSEPH S. EASTERN 2004 IRREVOCABLE TRUST, a New Jersey trust, JOSEPH S. EASTERN, as trustee and as an individual, SHIRLEY CHARMS, DAVID Z. ROSENSWEIG, CARLY EASTERN, and ERIN EASTERN,

Defendants.

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**NOTICE OF APPEARANCE AND REQUEST  
FOR SERVICE OF DOCUMENTS**

PLEASE TAKE NOTICE that the law firm of Marvin and Marvin, PLLC hereby appears in the above-captioned case as counsel to **Wendy Wolosoff-Hayes** and **Alan Hayes**.

Pursuant to Title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* and Rules 2002, 9007 and 9010 of the Federal Rules of Bankruptcy Procedure, Marvin and Marvin, PLLC requests that all notices given or required to be given in the above-captioned case, and all papers served or required to be served in the above-captioned case, be given and served upon the following persons at the addresses and numbers set forth below:

Marvin and Marvin, PLLC  
6369 Mill Street-P.O. Box 151  
Rhinebeck, NY 12572  
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PLEASE TAKE FURTHER NOTICE that the foregoing request includes, without limitation, any and all notices in respect of any application, motion, petition, hearing, pleading, request, complaint, appeal, demand, order or any other paper filed in the above-captioned case whether such notice is formal or informal, written or oral, and whether transmitted by hand delivery, United States Mail, electronic mail, expedited delivery service, telephone, telex, telecopy or otherwise.

PLEASE TAKE FURTHER NOTICE that neither this Notice of Appearance and Request for Service of Documents nor any subsequent appearance, pleading, claim or suit shall constitute a waiver of Wendy Wolosoff-Hayes' and Alan Hayes' substantive or procedural rights, including without limitation:

(1) the right to have any and all final orders in any and all non-core matters entered only after *de novo* review by a United States District Judge;

(2) the right to trial by jury in any proceeding as to any and all matter so triable, whether or not such matters are designated as legal or private rights, or in any case, controversy or proceeding related hereto, notwithstanding the designation of such matters as "core proceedings" pursuant to 28 U.S.C. § 157(b)(2), and whether such jury trial right is pursuant to statute or the United States Constitution;

(3) the right to seek abstention or remand of any matter or proceeding subject to mandatory or discretionary abstention or remand, and to have the District Court withdraw the reference in any matter or proceeding subject to mandatory or discretionary withdrawal;

(4) the right to receipt of service of process in all actions, causes, claims or proceedings arising in, arising under or related to the above-captioned case to be served directly on our clients as required by law;

(5) the rights, remedies and claims against other entities; or

(6) any other rights, claims, actions, defenses, setoffs or recoupments to which our clients are or may be entitled under any agreements or at law or in equity or under the United States Constitution.

All of the above rights are expressly reserved and preserved by Wendy Hayes-Wolosoff and Alan Hayes without exception.

Dated: Rhinebeck, New York  
February 2, 2011

Yours etc.,

MARVIN AND MARVIN, PLLC  
*Attorneys for Alan Hayes and Wendy Wolosoff-Hayes*

By: \_\_\_\_\_

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